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SENSITIVE  
SIPDIS

DEPARTMENT FOR EUR/CE JAMIE MOORE

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TAGS: [PGOV](#) [SOCI](#) [HU](#)  
SUBJECT: PARLIAMENT PASSES ANTI-HOLOCAUST BILL

¶1. (U) On February 22, in its last session before April's national elections, Parliament passed a Holocaust denial bill. According to the new legislation, which amends the Hungarian criminal code, anyone who publicly denies the Holocaust, calls it into doubt, or diminishes its significance can be sentenced to up to three years in prison.

¶2. (U) The Socialists (MSZP), Free Democrats (SZDSZ), and Hungarian Democratic Forum (MDF) supported the bill, originally submitted by MSZP prime ministerial candidate, Attila Mesterhazy. Opposition Fidesz MPs abstained during the roll call vote, and SZDSZ faction member Jozsef Guylas was the single MP voting against the legislation.

¶3. (U) MSZP and SZDSZ representatives rejected a Fidesz motion that would have also criminalized the denial of crimes committed during the communist regime. Notably, former Prime Minister Ferenc Gyurcsany and SZDSZ caucus leader Janos Koka both supported the Fidesz proposal.

¶4. (U) Public reaction to the newly adopted Holocaust denial bill was mixed. The chairman of the leading Hungarian Jewish organization MAZSIHISZ, Peter Feldmajer (who was present during the vote along with six Holocaust survivors), welcome the long-awaited legislation, and expressed his strong hope that the new bill would come into effect quickly. The Hungarian Civil Liberties Union, however, stated that although existing legislation was adequate to prosecute hate crimes, law enforcement authorities routinely failed to enforce it.

¶5. (SBU) The legislation is now with President Laszlo Solyom, who has fifteen days to make one of three choices: he can sign it into law; send it back to Parliament for redrafting; or forward it to the Constitutional Court for review. In 2008, Solyom forwarded a similar bill to the Constitutional Court, which struck down the legislation, arguing that it infringed upon constitutionally protected freedom of speech. Our contacts tell us they believe it is likely he will do the same with the current legislation.

¶6. (SBU) When asked about the reason for their party's abstention, our Fidesz contacts told us that their position on Holocaust denial had been consistent: no one should be able to deny crimes committed under any dictatorship -- whether fascist or communist, and that they could not support the legislation in its present form. They say that should the Constitutional Court strike down the current law, as it did in 2008, they intend to introduce their own legislation once Fidesz comes into power, which is widely expected after national elections in April.

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